



Patent

Docket No. 259/012

Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):

[X] Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231.

[] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner _____ at Facsimile No. _____ at _____ a.m./p.m.

Dated: November 6, 2002

Name of Person Certifying: _____

Printed Name: LAER BARRETT

Applicant: Daniel M. LaFontaine, et al.

Assignee: SciMed Life Systems

Filing Date: 11/14/2000

Examiner: R.S. Kearney

Serial No.: 09/713,749

Group Art Unit: 3739

Title: **ELECTROPHYSIOLOGY ENERGY TREATMENT DEVICES AND METHODS OF USE**

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Assistant Commissioner for Patents
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TECHNOLOGY CENTER R3700

TERMINAL DISCLAIMER

Dear Sir/Madam:

Petitioner, SciMed Life Systems, Inc., is the owner of 100 percent interest in the instant application. Applicant hereby disclaims the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of U.S. Patent No. 5,902,328. Moreover, Applicant hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,902,328, this agreement to run with any patent granted on the above-identified application and to be binding upon Applicant, and his successors or assigns.

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Applicant does not disclaim any terminal part of any patent granted on the above-identified application before the expiration date of the full statutory term of U.S. Patent No. 5,902,328 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.312(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

For the fee payment in the amount of \$110.00, or if any additional fees are necessitated by the filing of this document, please charge Deposit Account No. 50-1192, Docket No. 259/012.

Respectfully submitted,

BINGHAM McCUTCHEN LLP

Dated: November __, 2002

By



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